

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

Finisar Corporation, a Delaware corporation,)	
)	
Plaintiff,)	Cause No. 1:05-cv-0264
)	
v.)	
)	
The DIRECTV Group, Inc., a Delaware)	
Corporation; DIRECTV Holdings, LLC, a)	Judge Ron Clark
Delaware Limited Liability Company;)	
DIRECTV Enterprises, LLC, a Delaware)	
Limited Liability Company; DIRECTV)	
Operations, LLC, a California Limited Liability)	JURY TRIAL DEMANDED
Company; DIRECTV, Inc., a California)	
Corporation; and Hughes Network Systems,)	
Inc., a Delaware Corporation,)	
)	
Defendants.)	
)	
)	

**ORDER GRANTING PLAINTIFF FINISAR CORPORATION'S MOTION TO
EXPEDITE CONSIDERATION OF PLAINTIFF FINISAR CORPORATION'S MOTION
TO STRIKE PRIOR ART REFERENCES CONSIDERED AND RELIED UPON BY THE
DIRECTV GROUP, ET AL. TECHNICAL EXPERTS, GARY S. TJADEN AND
CHARLES J. NEUHAUSER, FOR FAILURE TO PRODUCE AND FAILURE TO
COMPLY WITH PATENT RULE 3-3**

The Court, having considered the above-captioned motion by plaintiff Finisar Corporation (“Finisar”) to Expedite Consideration of Finisar’s Motion to Strike Prior Art References Considered and Relied Upon by the DIRECTV Group, et al. Technical Experts, Gary S. Tjaden and Charles J. Neuhauser, for Failure to Produce and Failure to Comply with Patent Rule 3-3 (“Finisar’s Motion”), and the arguments and submissions of the parties with respect thereto, hereby GRANTS Finisar’s motion.

IT IS HEREBY ORDERED:

- 1) Finisar's Motion will be heard by the Court via a telephonic hearing Wednesday, February 15, 2006. DIRECTV may file an opposition to Finisar's Motion to Strike prior to the agreed upon time set for the telephonic hearing on Wednesday.

CERTIFICATE OF SERVICE

I hereby certify that on March 14, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

HEARTFIELD & McGINNIS, LLP

J. Thad Heartfield, Jr. (thad@heartfieldmcginnis.com)
HEARTFIELD & MCGINNIS
2195 Dowlen Road
Beaumont, Texas 77706

JONES DAY

Marsha E. Mullin (memullin@jonesday.com)
JONES DAY
555 West Fifth Street, Suite 4600
Los Angeles, CA 90013-1025

Michael J. Newton, Esq. (mnewton@jonesday.com)
Jones Day
2727 North Harwood Street
Dallas, Texas 75201-1515

/s/ Kirk R. Harris